



IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

NO. 7:09cr82-1 FL

UNITED STATES OF AMERICA )

V. )

KODY RAY BRITTINGHAM )

C R I M I N A L  
I N F O R M A T I O N

The United States Attorney charges:

COUNT ONE

On or about December 14, 2008, in the Eastern District of North Carolina, the defendant KODY RAY BRITTINGHAM, aiding and abetting another, did unlawfully attempt to obstruct, delay, and affect commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951, in that the defendant, aiding and abetting another, did unlawfully attempt to take and obtain personal property from other persons at the My Motel in Jacksonville, North Carolina, and against their will by means of actual and threatened force, violence and fear of injury, immediate and future, to their persons, that is, the defendant and his co-defendants attempted to rob the business by the actual and threatened use of dangerous weapons.

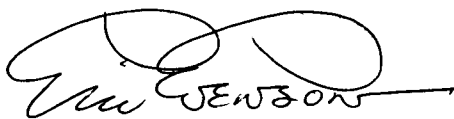
All in violation of Title 18, United States Code, Sections 1951 and 2.

COUNT TWO

On or about December 14, 2008, in the Eastern District of North Carolina, the defendant KODY RAY BRITTINGHAM, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, interference with commerce by the attempted armed robbery of the My Motel, in violation of Title 18, United States Code, Section 1951, as charged in Count One of the Criminal Information, did use and carry a gun, and did possess a firearm in furtherance of said crime of violence, and did aid and abet another in so doing.

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.

GEORGE E. B. HOLDING  
United States Attorney

A handwritten signature in black ink, appearing to read "Eric Evenson", written over a horizontal line.

ERIC EVENSON  
Assistant United States Attorney